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Attorney 'Thrilled' After Federal Judge Blocks COVID Vaccine Mandate for Air Force, Air National Guard

A federal judge in Ohio on Wednesday blocked the military's COVID-19 vaccine mandate nationwide for Air Force, Space Force and Air National Guard service members who requested religious exemptions.

By Megan Redshaw

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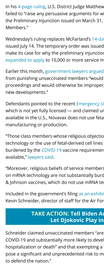

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A federal judge in Ohio on Wednesday blocked the military's COVID-19 vaccine mandate nationwide for the Air Force, Space Force and Air National Guard service members who requested religious exemptions.

In his 6-page ruling, U.S. District Judge Matthew McFarland said the government failed to "raise any persuasive arguments for why the Court should not extend the Preliminary Injunction issued on March 31, 2022, to cover the Class Members."

Wednesday's ruling replaces McFarland's 14-day temporary restraining order, issued July 14. The temporary order was issued to allow the military time to make its case for why the preliminary injunction shouldn't last longer and be expanded to apply to 10,000 or more service members seeking an exemption.

Earlier this month, government lawyers argued that preventing the military from punishing unvaccinated members "would interfere with ongoing legal proceedings and would otherwise be improper, particularly in light of Supreme Court precedent."

Defendants pointed to the recent Emergency Use Authorization of Novavax — which is not yet fully licensed — and claimed unlike the other three shots available in the U.S., Novavax does not use fetal cells in its development, manufacturing or production.

"Those class members whose religious objections were based on mRNA technology or the use of fetal-derived cell lines are no longer substantially burdened by the COVID-19 vaccine requirement because this option is now available," lawyers said.

"Moreover, religious beliefs of service members who object to vaccination based on mRNA technology are not substantially burdened by mandatory vaccination in the Johnson vaccines, which do not use mRNA technology."

Included in the government's filing as an exhibit was a declaration from Lt. Gen. Kevin Sumwalt, director of staff for the Air Force headquarters.

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Schneider claimed unvaccinated members "are at a higher risk of contracting COVID-19 and substantially more likely to develop severe symptoms resulting in hospitalization or death" and that exempting a large number of airmen "would pose significant and unprecedented risk to military readiness and our ability to defend the nation."

"As of March 14, 2022, a total of 91,984 Department of the Air Force Service members had contracted COVID-19 during the pandemic, resulting in 229 hospitalizations and 14 deaths," Schneider said. "Of those who died, 12 (86%) were completely unvaccinated."

Schneider did not provide the number of servicemen injured or hospitalized as a result of having to receive a COVID-19 vaccine under the military's vaccine mandate.

McFarland wasn't convinced. He instead modified the class to include all active duty, reserve, reserve, national guard, inductees and appointees of the U.S. Air Force and Space Force, including but not limited to Air Force Academy Cadets, Air Force Reserve Officer Training Corps Cadets, members of the Air Force Reserve Command and any airman who has sworn or affirmed the U.S. Uniformed Services Oath of Office or Enlistment and is currently under command and could be deployed.

Under the new order, the Air Force can't take disciplinary action against, or attempt to kick out members who requested a religious exemption on or after Sept. 1, 2021, those confirmed as having a sincerely held religious belief by chaplains and those who either had their request denied or whose request has not yet been acted on.

"Obviously, we are thrilled for our clients who we were facing career-ending consequences for the exercise of their sincerely held beliefs," Chris Wiest, an attorney for plaintiffs, said Wednesday.

"This case will now proceed into the discovery phase in which we look forward to placing government decision-makers under oath and questioning them about their discriminatory decision-making."

Of the Air Force's 497,000 members, 97% have received a primary COVID-19 vaccination series.

As of Feb. 1,400 exemptions granted, only 104 are religious exemptions — and those were granted only to service members at the end of their term of service.

Currently, 2,447 requests are pending and 6,803 were rejected.

The small number of religious accommodations granted is "farcical," McFarland said earlier this year. The Air Force "has effectively stacked the deck' against service members seeking religious exemptions."

The U.S. Secretary of Defense on Aug. 24, 2021, directed military branch secretaries to immediately begin full vaccination of all members of the armed forces, service members on active duty and those in the reserves, and National Guard, unless exempted.

The Secretary of Defense claimed that "to defend the nation, we need a healthy and ready force" and "after careful consultation with medical experts and military leaders, and with the support of the President ... vaccination against the coronavirus disease 2019 (COVID-19) is necessary to protect the force and defend the American people."

Military's recruiting crisis deepens under vaccine mandate

Lawmakers from both sides of the aisle are putting pressure on the Pentagon to fix the military's recruitment crisis in what has been deemed the worst recruiting environment since the end of the Vietnam War, Politico reported this week.

Recent briefing slides obtained by Politico show senior Pentagon leaders are alarmed by poor enlistment numbers and the military "currently faces the most challenging recruiting market since the advent of the All-Volunteer Force, with multiple Services and Components at risk for missing mission in FY 2022."

"Arduous market conditions are expected to persist into the future as the market is not likely to self-correct," according to the slides.

While the military said it acknowledges the problem, the desire of young Americans to join the military has "fallen off the statistical cliff," according to Politico.

The Army only reached 66% of its goal for the fiscal year ending in September, while the Navy is at 89%, according to data compiled from October 2021 to May 2022.

Although the rates for the Marine Corps, Air Force and Space Force are at 100%, the research knows the U.S. Department of Defense (DOD) with a total rate of just 85%.

Rep. Jackie Speier (D-Calif.), who chairs the Military Personnel Subcommittee, wants to hold a joint hearing with her panel and the Readiness Subcommittee on recruiting issues.

"I would say we have to do a deep dive into why the numbers are shrinking," Speier told Politico. "I think we have to have a hearing to find out what's going on."

The DOD says the drop in entry-level troops can be traced to concerns about the physical and psychological risks of service and other career interests, the possibility of interference with a college education, dislike of the military lifestyle and the military's high standard for recruits.

The Army last week announced it is launching multiple initiatives to address the problem including providing $35,000 bonuses for new recruits ready to ship out to basic training within 45 days and lowering the service's physical and academic standards.

Some DOD officials and experts blame COVID-19 vaccine mandate

Former and current DOD officials and experts criticized the Pentagon's COVID-19 vaccine mandate as a contributing factor — and claimed the "department leadership knows it."

According to Military News, the Army recently cut more than 60,000 National Guard and Reserve soldiers who refused to be vaccinated from military pay and benefits and is preventing them from participating in military duties.

Mackenzie Eaglen, an expert with the conservative American Enterprise Institute, argued the military's vaccine mandate has "indisputably negative" impacts on recruiting.

"The math and logic simply doesn't work out if it stops go involuntarily over the vaccine while announcing at the same time historically high bonuses for new recruits (which the U.S. Army did this winter)," Eaglen said.

"It is far more time-consuming and expensive to fire those with experience versus bringing in new, untrained personnel.

"If you are sitting in the state of Georgia or Texas and you see they are putting 60,000 members out, you are going to scratch your head a bit and say, 'why would I join up?'" a former senior DOD official told Politico. "And if you don't want to get vaccinated, you are certainly not going to join."

Rep. Mike Waltz (R-Fla.), the top Republican on the House Armed Services' Readiness Subcommittee, former Green Beret and current member of the National Guard, joined with 41 other republican lawmakers on Tuesday to send a letter to Defense Secretary Lloyd Austin requesting the Pentagon reconsider its COVID-19 vaccine mandate in response to the recruiting crisis.

"At a time when the department is struggling to recruit qualified young men and women fit for duty to fill the ranks, and while China is embarking on a massive military buildup which threatens American interests around the world, we should not be hindering our own readiness and capabilities by punishing and focusing our experienced and dedicated Guardsmen and Reservists," the letter stated.

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Megan Redshaw

Megan Redshaw is a staff attorney for Children's Health Defense and a reporter for The Defender.

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"Military doctor says she was 'ordered to cover up' wave of covid 'vaccine' injuries to servicemen"
Dr. Theresa Long, a medical officer with the United States military, has testified in court that she was ordered by a superior to suppress Wuhan coronavirus (Covid-19) "vaccine" injuries following the Biden regime's mandate.
Long and two other medical professionals observed a spike in cancer cases, neurological disorders and miscarriages immediately after Biden's jab mandate was enacted. They were told, however, to keep this damning information under wraps.
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BREAKING - Alex Berenson!!
Pfu. Bump and Share!
1.) THE VIRUS MUTATES HAVE FAILED!!
Provably. Indisputably. The risk estimates released by Centers for Disease Control are politicized garbage based on hospital and state data that intentionally underestimate the number of vaccinated Americans who have been hospitalized or died.
The true numbers from other countries tell an even more frightening tale - and suggest. They show that six months after injection, the basic two-dose mRNA vaccine regimen does not protect against Omicron and may even increase its risk. This failure is not confined merely to infection but to severe outcomes like hospitalization.
Boosters increase protection, but the increase is temporary. Worse, a fourth dose appears to provide less additional protection than a third and to fade more quickly.
At best - absolute best - the shots appear to have bought a few months in 2021 of a false dawn, at a cost that is still rising.
https://alexberenson.substa...
2.) "Dr. Birx Admits She Knew' COVID-19 Vaccines Were Now 'Going To Protect Against Infection"
https://www.zerohedge.com/c...
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Heads Up Those That Mandated The Vax, And People Lost Their Careers! Help From Within Counties!
IMO: Looks like the State, Fed Govt, US Military and Private Employers, Colleges, may have to Settle with those they Terminated for the Vaxx !
From the Internet! Breaking from Italian Courts
1.) July 19, 2022
"Historic Decision Against Mandatory Vaccination by Italian Court + 'Covid Vaccine Risk to Human Genome' Now Legally Established" (Italy)
2.) July 18, 2022
"WATCH Renate Holzeisen with Rainer Fuellmich - Legal success in Italy: Emergency approval granted, 'injections classified' as experimental" (Trial)
https://childrenshealthde...
3.) 'Sweden Study Shows Covid Vaccine Can Modify DNA...!'
'Sweden Study Shows COVID-19 Jab Can Modify DNA, Opens Doors for New Lawsuits' Published July 8, 2022'
https://rumble.com/v1bq8d-...
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"Great News, Hopefully Other US Military Branch's, Can Benefit From This Decision Also!
"Stunning Admission from White House: Covid Lock-downs, Masks Mandates and Mass-Vaxing Were All Completely Pointless!
"You mean the last 2 crazy years and the tens of trillions in new money were all for nothing?"
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WILL THOSE WHO LIED TO US ABOUT COVID BE CHARGED WITH CONSPIRACY TO COMMIT MASS MURDER???
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I fully hope so. All the trillions made by so many should be returned to the victims of this scam. Then we start our own depopulation thing, one evil snake at a time.
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WILL IT STAND THE TEST WHEN THE DEMOCRATS TRY TO ——— DON'T IT'S LEGALITY? AND WILL IT BE HONORED AND ALL MILITARY TRYING OUT FOR RETURNED THE SHOT BE REINSTATED WITH FULL BACK PAY AND HONORS????
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I'll bet new recruits aren't getting that $35,000 bonus up front. It will be contingent on their completion of training, and probably spread out over their entire enlistment period. If they don't make it to basic, anyone who joins today's woke military in a Vietnam-era veto must have alride for brains.

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